

# EXHIBIT 12

## LAW OFFICES OF CHARLES S. FRIGERIO

A Professional Corporation  
Attorneys at Law and Counselors  
111 Soledad, Suite 465  
San Antonio, Texas 78205  
**Telephone 210.271.7877**  
Fax 210.271.0602

Email: Firm@FrigerioLawFirm.com  
www.FrigerioLawFirm.com

CHARLES S. FRIGERIO\* \*\* + ++  
HECTOR X SAENZ\*  
CHARLES A. FRIGERIO  
STEVEN N. HARKIEWICZ  
*Of Counsel*  
JULIE ANN VASQUEZ  
*Litigation Administrator*

\*Board Certified Personal Injury Trial Law  
Texas Board of Legal Specialization  
\*\*American Board of Trial Advocacy  
+Litigation Counsel of America  
++National Board of Trial Advocacy

---

February 16, 2024

Christen Mason Hebert  
Institute for Justice  
816 Congress Ave., Suite 970  
Austin, TX 78701

Email: chebert@ij.org

Joshua A. Windham  
Trace E. Mitchell  
Daniel Nelson  
Institute for Justice  
901 North Glebe Road, Suite 900  
Arlington, VA 22203

Email: jwindham@ij.org  
Email: tmitchell@ij.org  
Email: dnelson@ij.org

Re: Civil Action No. 5:23-cv-00706; *Alex Schott v. Joel Babb in his individual and official capacity; Martin A. Molina III, in his individual and official capacity and Bexar County Texas*; In the United States District Court for the Western District of Texas San Antonio Division.

Counsel:

In response to your deficiency tome of February 9, 2024 please be advised Defendants responding in good faith as follows:

(A) **First Request for Production:**

1. Response to Plaintiff's First Requests for Production 6-9: No other documents are in the possession of the Defendants other than what has been previously produced.
2. Response to Plaintiff's First Request for Production No. 34: See attached.

(B) **Second Request for Production:**

- (3) Response to Plaintiff's Second Request for Production No. 38: Defendants have produced Deputy Babb's Citizen Complaints and his entire Internal Affairs Disciplinary Records to date. Defendants are not ignoring portions of Plaintiff's requests.
- (4) Response to Plaintiff's Second Request for Production No. 39: After conferring with the Bexar County Sheriff's Department there are no Interdiction MOU documents (Memorandum of Understanding) concerning the Interdiction Unit. There are no documents responsive to this request
- (5) Response to Plaintiff's Second Request for Production No. 40: No other responsive documents exist.
- (6) Response to Plaintiff's Second Request for Production No. 41: No documents exist.
- (7) Response to Plaintiff's Second Request for Production No. 42: No other documents exist other than those documents previously produced.
- (8) Response to Plaintiff's Second Request for Production No. 43: Defendants stand by their objections.
- (9) Response to Plaintiff's Second Request for Production No. 44: Defendant is producing Gereb's personnel file, as well as body worn camera from Deputy Gereb concerning the incident in question.
- (10) Response to Plaintiff's Second Request for Production No. 45-46: Please be advised that the Bexar County Sheriff's Department no longer conducts performance evaluations, however, the personnel files have previously been produced.
- (11) Response to Plaintiff's Second Request for Production No. 47-48: Please be advised that the Bexar County Sheriff's Department does not conduct performance and therefore there are no performance evaluations for Deputy Gareb.
- (12) Response to Plaintiff's Second Request for Production No. 49: Dog Certifications for K-9 Maximus as well as certifications for Herrera and Molina have been produced.
- (13) Response to Plaintiff's Second Request for Production No. 50-51: All documents concerning K-9 Maximus have been produced.

Below find a link containing Defendant's Bates Nos. 5917 through 6039.

[SCHOTT - DEF BATES 5915-6039](#)

Sincerely,

*Charles S. Frigerio*

Charles S. Frigerio  
(Electronically Signed)

CSF:jav

Enclosure As Stated Above

Cc: Susan A. Bowen  
Bexar County District Attorney's Office  
Civil Section  
101 W. Nueva, 7th Fl.  
San Antonio, TX 78205

Email: [sbowen@bexar.org](mailto:sbowen@bexar.org)